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October 30, 2020

VIA CM/ECF

The Honorable Maryellen Noreika
United States District Court
for the District of Delaware
J. Caleb Boggs Federal Building
844 North King Street
Unit 19
Room 4324
Wilmington, DE 19801-3555

Re: *Commvault Systems, Inc. v. Rubrik Inc.*, C.A. No. 20-524-MN

Dear Judge Noreika:

Pursuant to D. Del. Local Rule 7.1.2(b), Commvault Systems, Inc. (“Commvault”) respectfully submits this letter notifying the Court of subsequent authority in support of its Answering Brief in Opposition (D.I. 19) to Defendant Rubrik Inc.’s (“Rubrik”) Rule 12(b)(6) Motion to Dismiss certain of Commvault’s patent infringement claims under 35 U.S.C. § 101 for claiming ineligible subject matter. (D.I. 16.)

On October 23, 2020, the Court of Appeals for the Federal Circuit issued its decision (attached as Exhibit A) in *TecSec, Inc. v. Adobe Inc.*, affirming the district court’s summary judgment ruling that the claims at issue are not invalid under 35 U.S.C. § 101. Case No. 19-2192, D.I. 60.

Respectfully Submitted,

/s/ Kelly E. Farnan

Kelly E. Farnan (#4395)

cc: Counsel of Record (via CM/ECF)

